

**Executive Summary of NASUCA's Truth-in-Billing Petition and Reply Comments,
CG Docket No. 04-208: NASUCA Ex Parte Presentation (Jan. 12, 2004).**

NASUCA asks the Commission to address, in the context of its Truth-in-Billing ("TIB") proceeding, carriers' growing use of monthly line items – fees and surcharges that recover the carriers' operating costs, including costs of complying with various government regulatory programs. Such charges:

- are misleading and deceptive re: the origin of the charges in question;
- are misleading and deceptive re: the prices consumers pay for service;
- are misleading and deceptive in that many imply that they are required by the government when in fact they have never been expressly mandated or authorized;
- are misleading and deceptive because carriers' advertising does not disclose these hidden fees and charges;
- are unreasonable because they bear no demonstrable relationship to the regulatory costs they purportedly recover; and
- are anti-competitive because carriers can mask their economic inefficiencies while advertising low usage-based and monthly rates.

What NASUCA is seeking:

The Commission should declare that carriers are prohibited from imposing line items *unless those charges are expressly mandated or authorized by federal, state or local regulatory action*. Regulatory surcharges should also be required to closely match the regulatory assessment they recover. If other, non-regulatory line items are not prohibited in this proceeding, then the Commission should open a rulemaking to address those charges as well.

What NASUCA is *not* seeking:

NASUCA is not asking the Commission to overturn prior decisions allowing carriers to recover specific assessments authorized by regulatory action through line item charges. NASUCA is not asking the Commission to ban all line items and force carriers to put all their operating costs in one lump sum rate.

Granting NASUCA's petition:

The Commission would advance the pro-consumer, pro-competition goals of Communications Act. Consumers can shop among carriers for the lowest rates free from deceptive, misleading or confusing billing practices; carriers who cannot compete efficiently cannot bury their costs in monthly line items while maintaining deceptively low rates.